

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:99-00012-09

CRIMINAL ACTION NO. 5:07-00013-01

SIMERNON ROGERS

MEMORANDUM OPINION AND ORDER

Pending before the court is defendant's motion to continue his supervised release revocation hearing, currently scheduled for May 18, 2021. (ECF No. 103). In support of the motion and the need for a continuance, counsel for the defendant contends that he needs certain materials from probation which are the subject of a motion to produce currently pending before the court. The government does not oppose defendant's request for a continuance. Insofar as defendant seeks to delay moving forward on the petition to revoke his term of supervised release, that motion is **GRANTED** and the supervised release revocation hearing is continued until May 26, 2021, at 12:15 p.m., in Charleston. However, the court is not canceling the hearing scheduled for May 18, 2021, as it will take up defendant's motion for production of "PACTS"/Chrono Records at that time.

The Clerk is directed to send a copy of this Memorandum Opinion and Order to counsel of record, to the United States Marshal for the Southern District of West Virginia, and to the Probation Office of this court.

IT IS SO ORDERED this 17th day of May, 2021.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge